

United States Bankruptcy Court, District of Rhode Island

Proceeding Memorandum / Order of Court

In Re: Fraoli et al v. Galleshaw

Case Number: 1:15-ap-01023 Ch:

**MOVANT/APPLICANT/PARTIES:**

Plaintiffs' Motion to Adjudge in Contempt and Compel Compliance Pursuant to the Subpoena ("Motion") (Doc. #38)

**OUTCOME:**

☐ Granted ☐ Denied ☐ Approved ☐ Sustained  
☐ Moot ☒ Denied without prejudice ☐ Withdrawn in open court ☐ Overruled  
☐ OSC Enforced / Released  
☐ Continued to: \_\_\_\_\_ For: \_\_\_\_\_  
☐ Formal order / stipulation to be submitted by: \_\_\_\_\_ Date due: \_\_\_\_\_  
☐ Findings and conclusions dictated at the close of hearing incorporated by reference  
☐ Taken under advisement: Brief(s) due: \_\_\_\_\_ From: \_\_\_\_\_  
Response due: \_\_\_\_\_ From: \_\_\_\_\_  
☐ Fee(s) allowed in the amount of: \$ \_\_\_\_\_ Expenses of: \$ \_\_\_\_\_  
☐ No appearance / response by: \_\_\_\_\_  
☒ DECISION SET OUT MORE FULLY BY COURT AS FOLLOWS:

The Motion is denied without prejudice for failure to comply with the Court's January 26, 2016 order (Doc. #36) ("Order"); the Motion does not (1) indicate compliance with the requirement for the parties to "confer and make a good faith effort" to resolve any discovery disputes (2) set forth with specificity what documents Plaintiffs allege were not provided and (3) state whether prior written notice of Plaintiffs contentions and a list of the alleged missing documents was provided to Defendant's counsel or the efforts made to attempt to resolve the same.

By February 12, 2016, the parties shall file a joint statement setting forth in detail the specific efforts they have undertaken to comply with the Order regarding good faith efforts to resolve any discovery disputes. Failure to timely file this joint statement will subject counsel for both parties to sanctions.

IT IS SO ORDERED:

Diane Finkle Dated: 2/3/16

Diane Finkle, U.S. Bankruptcy Judge